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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MATHEW AND EVELYN BROMS
INVESTMENT PARTNERSHIP; MATHEW
BROMS REVOCABLE TRUST; RICHARD
BROMS, in his capacity as Trustee for the Mathew
Broms Revocable Trust; IRREVOCABLE TRUST
FOR THE BENEFIT OF ALISON SARAH
BROMS DTD 11/7/1984, in its capacity as a
Partner in the Mathew and Evelyn Broms

Adv. Pro. No. 08-01789 (SMB)
SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04985 (SMB)

Investment Partnership; and JOHN DOE, in his/her capacity as Trustee for the Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984,

Defendants.

STIPULATION FOR SUBSTITUTION OF DEFENDANTS AND
FILING OF AMENDED COMPLAINT

WHEREAS, on December 1, 2010, Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed the above-captioned avoidance action against defendants: (a) Mathew and Evelyn Broms Investment Partnership; (b) Mathew Broms Revocable Trust; (c) Richard Broms, in his capacity as Trustee for the Mathew Broms Revocable Trust; (d) Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984, in its capacity as a Partner in the Mathew and Evelyn Broms Investment Partnership; and (e) John Doe, in his/her capacity as Trustee for the Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984; and

WHEREAS, Mathew Broms died on September 6, 2006 and following his death,: (a) Mathew Broms Marital Trust u/a dated 1/10/74; (b) Mathew Broms Credit Trust u/a dated 1/10/73; and (c) Evelyn Broms Revocable Trust replaced the interest held by Mathew Broms Revocable Trust in the Mathew and Evelyn Broms Investment Partnership;

WHEREAS, Thomas Moscoe is the Trustee for the Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984;

IT IS FURTHER MUTUALLY AGREED AND STIPULATED, by and between the Trustee and Defendants, as follows:

1. (a) Mathew Broms Marital Trust u/a dated 1/10/74; (b) Mathew Broms Credit Trust u/a dated 1/10/73; and (c) Evelyn Broms Revocable Trust are hereby added into this action, and the complaint shall be deemed so amended; and

2. Thomas Moscoe, in his capacity as Trustee for the Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984 is hereby substituted into this action in place of John Doe, in his/her capacity as Trustee for the Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984, and the complaint shall be deemed so amended.

3. The Clerk of the Court is hereby directed to amend the caption to amend the caption to include: (a) Mathew Broms Marital Trust u/a dated 1/10/74; (b) Mathew Broms Credit Trust u/a dated 1/10/73; (c) Evelyn Broms Revocable Trust; and (d) Thomas Moscoe, in his capacity as Trustee for the Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984;

4. Undersigned counsel for Defendants: (i) expressly agrees that the Trustee's First Amended Complaint, attached hereto as Exhibit A, shall be deemed filed as of the entry of this Order; (ii) expressly represents that she has the authority to, and does hereby, accept service of Summons and First Amended Complaint on behalf of (a) Mathew Broms Marital Trust u/a dated 1/10/74, (b) Mathew Broms Credit Trust u/a dated 1/10/73, (c) Evelyn Broms Revocable Trust, and (d) Thomas Moscoe, in his capacity as Trustee for the Irrevocable Trust for the Benefit of Alison Sarah Broms dtd 11/7/1984; (iii) waives service of the Summons and the First Amended Complaint on behalf of Defendants; and (iv) hereby waives any defenses based on the statute of limitations, insufficiency of process or insufficiency of service of process of the Summons and First Amended Complaint on behalf of Defendants.

5. Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have.

6. This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

7. After this Stipulation has been signed by Judge Bernstein, the Trustee's attached First Amended Complaint shall be deemed filed. Defendants shall have thirty days from the date upon which the First Amended Complaint is filed to move, answer or otherwise respond to the First Amended Complaint.

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Date: April 2, 2015
New York, New York

Of Counsel:

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Attorneys for Defendants

SO ORDERED.

Dated: April 2nd, 2015
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE